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Foreword

GOVERNOR FRANK J. LAUSCHE*

The year 1949 marks the completion of the first 10 years of experience in unemployment compensation benefit payments in Ohio. This State's unemployment compensation program became effective in 1936, but it was not until January 1, 1939, that benefits first became payable.

Whatever the opposition to the principles of unemployment insurance on constitutional and philosophical grounds may have been in the past, it has become more or less academic and has largely subsided to wistful reminiscing. The fact now remains that unemployment compensation insurance is today an accepted principle of our industrial system, and a part and parcel of our present economic way of life.

We have come a long way since Ohio first adopted its program. Today, Ohio's Unemployment Compensation Fund stands at over \$550,000,000. It covers some 72,000 employers, employing approximately 2,250,000 workers. Of course, the program has not undergone a strain of a depression like that of the early 30's, and we have yet to experience the effect of the program on our economic life during a period of widespread unemployment of depression magnitude. But we may feel confident that Ohio's reserve fund is adequate for the payment of benefits during a prolonged recession or depression.

We may find reassurance in the knowledge that should an economic recession occur in this country, Ohio's unemployment compensation program will be an important factor in returning us more quickly to stability.

* Governor of the State of Ohio; Member of the Ohio Bar. Governor of the State of Ohio 1945-1947, Mayor of the City of Cleveland 1941-1944; Judge, Court of Common Pleas 1937-1941, Municipal Court 1932-1937.

Dollars paid to unemployed workers will be dollars spent for consumer goods. In short, unemployment insurance will prove to be an economic cushion to help absorb the economic shock. This is why it is imperative that our unemployment compensation program be studied frequently with the purpose of correcting deficiencies which become manifest.

If Ohio's program is to perform the task for which it was created, namely, to afford dignified means of sustenance during periods of enforced unemployment, the benefits should be sufficient to permit unemployed workers—jobless through no fault of their own—to maintain themselves without recourse to charity or public relief. Therefore, benefit rates should reflect the cost of living. The disqualification provisions should not nullify the purpose of the program. Unemployment compensation is social insurance earned by employment, financed by contributions and payable only to those who satisfy eligibility requirements. It should never be permitted to become regarded as a hand-out. We must constantly guard against inducing indolence and making it profitable not to work. The benefits paid should provide sufficient differential from the wages a worker receives when he is fully employed as not to retard the taking of work. The benefits should be paid for a period long enough to tide over the unemployed individual temporarily between jobs, to give the individual the assurance of security that is necessary if he is to continue his search for work and remain an employable member of the labor force. Yet, the period should not be so long as to result in the demoralization of the individual and the development of work-shy habits.

The decade of experience of unemployment compensation benefit payments in Ohio has given rise to a new chapter in our jurisprudence. Numerous decisions have been and are being rendered by Unemployment Compensation Boards of Review and by State and Federal courts. The attention which the Ohio State Law Journal is focusing on unemployment compensation marks a milestone in the development of this branch of the law

This symposium on unemployment compensation is timely and necessary. It is essential that after 10 years of experience in Ohio we take inventory of the situation and analyze critically the results of a decade. Herein is presented a discussion of the mechanics of the Ohio Unemployment Compensation Law. There is a review of the procedure by which the individual's claim for compensation is presented and processed, and of the manner in which administrative appeals may be made by either the individual or the employer from the original decision. Consideration is also given in the symposium to the problems which arise by reason of the constant and ever-increasing migration of workers from state to state

and the resultant complexities of the interstate processes for the determination of such claims. The subjects of availability of suitable employment for an unemployed applicant for compensation and the diligence of his search for such employment, the existence of the employment relationship, and the always-controversial issue presented where the employee has been discharged or has voluntarily terminated his employment, are all discussed in this symposium.

I am sure that the Bench, the Bar and the general public of Ohio will welcome the series of instructive articles in this symposium. The Ohio State Law Journal and the College of Law are to be most sincerely congratulated for sponsoring, preparing and publishing the series.

